

BILL NO. Z-74-03-19

ZONING MAP ORDINANCE NO. Z-13-74.

AN ORDINANCE amending the City of  
Fort Wayne Zoning Map No. AA5

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby  
designated a BLA district under the terms of Chapter 36, Municipal  
Code of the City of Fort Wayne, Indiana, 1946, as amended by  
General Ordinance No. 2836 and amendments thereof; and the symbols  
of the City of Fort Wayne Zoning Map No. AA5, referred to therein,  
established by Section 9, Article III of said Chapter as amended,  
are hereby changed accordingly, to-wit:

Bauers 1st Sub Lots 12 & 13 & 14  
near Sherman and Spring

SECTION 2. This Ordinance shall be in full force and  
effect from and after its passage and approval by the Mayor and  
legal publication thereof.

  
Councilman

APPROVED AS TO FORM  
AND LEGALITY,

  
CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Thompson, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 3/12/74

Charles W. Thompson  
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed (~~test~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	<u>X</u>	_____	_____	_____	_____
HINGA	<u>X</u>	_____	_____	_____	_____
KRAUS	<u>X</u>	_____	_____	_____	_____
MOSES	<u>X</u>	_____	_____	_____	_____
NUCKOLS	<u>X</u>	_____	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____	_____

DATE: 6-11-74

Charles W. Thompson  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. 3-13-74 on the 11th day of June, 1974.

ATTEST: (SEAL)

Charles W. Thompson  
CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 4 o'clock P. M., E.S.T.

Charles W. Thompson  
CITY CLERK

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P. M., E.S.T.

John A. Leland  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 12, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-03-19; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 13, 1974;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 20, 1974.

Certified and signed this  
21st day of May, 1974.

  
\_\_\_\_\_  
Thomas J. Offerle  
Secretary

Bill No. Z-74-03-19

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. AA5

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

DATE 6-11-74 CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK

## RECEIPT

N<sup>o</sup> 261

GENERAL FUND

FT. WAYNE, IND.

Feb 14 19 74

RECEIVED FROM

Green Thumb Garden & Ceramics Co. \$ 50.00

THE SUM OF

Fifty Dollars & 00 <sup>100</sup> DOLLARS

ON ACCOUNT OF

Bamers Sub Lots 12 + 13 + 14Velma Freeze

AUTHORIZED SIGNATURE



PETITION FOR ZONING ORDINANCE AMENDMENT . . . Receipt No. \_\_\_\_\_

TO: COMMON COUNCIL OF THE \_\_\_\_\_ Date Filed \_\_\_\_\_

CITY OF FORT WAYNE, INDIANA

Intended Use \_\_\_\_\_

I/We James A. Poinsett \_\_\_\_\_  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana,  
by reclassifying from a/an R2 district to a/an BLA district the  
property described as follows:

Bauer's 1st Sub Lots 12 & 13 & 14

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum  
(51%) or more of the property described in this petition.

James A. Poinsett

2928 Fernsworth

Fort Wayne, Ind.

6-23-12 72/13523

(Name)

(Address)

(Signature)

Legal Description Checked By: \_\_\_\_\_  
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Anne Wall  
(Name)

(Address)

432-3702  
(Telephone Number)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE,  
INDIANA, 46802 Telephone Number: 423-7571

DIGEST SHEET

TITLE OF ORDINANCE

ZONING MAP AMENDMENT ORDINANCE

3-74-03-19

DEPARTMENT REQUESTING ORDINANCE

City Plan Commission

SYNOPSIS OF ORDINANCE

Preparation of a Zoning Map Amendment

Ordinance Petition initiated by property owners to rezone property located as follows:

Lots # 12, 13 & 14 Bauer's 1st Addition, located on the southeast corner of Spring and Sherman Streets.

From "R2" to "B1A"

EFFECT OF PASSAGE

Property is presently zoned a "R2" - Two family

residential. Petitioners are requesting a "B1A" Zone - Limited Business.

EFFECT OF NON-PASSAGE

Property would remain two family residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

NONE

ASSIGNED TO COMMITTEE (J.N.)

~~Thus~~ Regulations





CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN  
CITY CLERK

June 14, 1974

Miss Helen Libbing  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates June 17 and June 24, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana for the  
following Ordinances:

Zoning Map Ordinance No. Z-13-74

Zoning Map Ordinance No. Z-14-74

Zoning Map Ordinance No. Z-12-74

Zoning Map Ordinance No. Z-11-74

General Ordinance No. G-17-74

General Ordinance No. G-15-74

Please send us six (6) copies from each newspaper of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman  
City Clerk

CWW/ne  
ENCL: 6

Width of single column 11 ems

Size of type  $5\frac{1}{2}$  point

Number of insertions 2

Size of quad upon which type is cast  $5\frac{1}{2}$ 

Notice is hereby given that on the 11th day of June, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Resolution and pass the following Bill No. Z-13-74-03-19, Z-13-74 Zoning Map Ordinance, to-wit:

BILL NO. Z-74-03-19  
ZONING MAP ORDINANCE NO. Z-13-74  
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AAS

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a BIA district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. AAS, referred to therein, established by Section 9, Article III of said Charter as amended, are hereby changed accordingly, to-wit:

Blowers 1st Sub lots 12 & 13 & 14 near Sherman and Spring

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and local publication thereof.

JOHN NUCKELS, Chairman

Read the third time in full and on motion by Nuckels, second by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine  
Burns, Hingo, Kraus, Moses, Nuckels, D. Schmidt, V. Schmidt, Stier, Tolarico.  
Nays: None  
Date: 6-11-74

CHARLES W. WESTERMAN, City Clerk  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map No. Z-13-74 on the 11th day of June, 1974.

ATTEST: (SEAL)

CHARLES W. WESTERMAN, City Clerk  
SAMUEL J. TALABRICO, Presiding Officer  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June 1974, at the hour of 10:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN, City Clerk  
Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock, P.M., E.S.T.

IVAN A. LEBAMOFF, Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-13-74 passed by the Common Council on the 11th day of June, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of June, 1974 and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 12th day of June, 1974.

CHARLES W. WESTERMAN, City Clerk

6-17-74.

and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

*V. E. Gerken*

19 74

Title Clerk

# PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned *V. E. Gerken* who, being duly sworn, says

that *She* is *Clerk* of the

NEWS-SENTINEL

a *DAILY* newspaper of general circulation printed and published in the English language in the city of *PORT WAYNE, INDIANA*

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for *two*

times, the dates of publication being

as follows: *6/17-21/74*

Subscribed and sworn to before me this *26th* day of *June* 19 *74*

*Charles C. Rasmussen*  
Notary Public

My commission expires *October 25, 1975*

To NEWS-SENT INEL Dr

FORT WAYNE, INDIANA

## LINE COUNT

Head	number of lines
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Tail number of lines

Total number of lines in notice

### COMPUTATION OF CHARGES

76 lines, 1 column wide equals 76 equivalent lines at .288¢  
cents per line

• 21.89

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 23.89

### DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type  $5\frac{1}{2}$  point

Number of insertions. 2

Size of quad upon which type is cast  $5\frac{1}{2}$ 

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 26 1974

Title Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken, who, being duly sworn, says that She is Clerk of the

NEWS-SENTINEL

DAILY

..... newspaper of general circulation printed and published  
in the English language in the city } of..... **FORT WAYNE, INDIANA**

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

....., the dates of publication being as follows:

6/17-24/74

Subscribed and sworn to before me this, 26th day of June 1974

Notary Public

My commission expires.....October 25, 1975

I, Charles W. Westerman, Mayor  
 of the City of Wayne, Indiana, do hereby  
 certify that the above and foregoing is a full,  
 true and complete copy of Zoning Map Or-  
 der No. 2-13-74 passed by the Board of  
 Health on the 11th day of June, 1974, and  
 that said copy is on file in my office and  
 approved by the Mayor on the 12th day of  
 June, 1974 and now remains on file and on  
 record in my office.  
 WITNESS my hand and the official  
 seal of the City of Wayne, Indiana,  
 this 12th day of June, 1974.  
 CHARLES W. WESTERMAN, Mayor

Notice is hereby given that on the 11th day of June, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-74623-19, Z-13-74 Zoning Map Ordinance, to-wit:

BILL NO. Z-74623-19  
ZONING MAP ORDINANCE NO. Z-13-74  
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AAS  
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a BIA district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana No. 2346 and amendments thereto; and the symbols of the City of Fort Wayne Zoning Ordinance No. AAS, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Bouars 1st Sub lots 12 & 13 & 14 near Sherman and Spring  
SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

JOHN NUCKELS,  
Chairman

Read the third time in full and on motion by Nuckels, second by V. Schmidt, and PASSED by the following vote:

Ayes: Nine  
Rutts, Hingo, Kraus, Moses, Nuckels, D. Schmidt, V. Schmidt, Stier, Talarico.  
Nays: None  
Date: 6-11-74

CHARLES W. WESTERMAN,  
City Clerk  
Presented and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map No. Z-13-74 on the 11th day of June, 1974.

ATTEST: (SEAL)  
CHARLES W. WESTERMAN,  
City Clerk  
SAMUEL J. TALARICO,  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN,  
City Clerk  
Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock, P.M., E.S.T.

IVAN A. LEBAMOFF,  
Mayor  
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-13-74 passed by the Common Council on the 11th day of June, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of June, 1974 and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 12th day of June, 1974.

CHARLES W. WESTERMAN,  
City Clerk

6-11-74.

on and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

19 74

Arvilla De Wald

Title CLERK

# PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

6/17-24/74

Subscribed and sworn to before me this 26th day of June, 19 74

Arvilla De Wald  
Notary Public

My commission expires October 25, 1975

Fort Wayne Common Council  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

74

2

76

## COMPUTATION OF CHARGES

76 lines, 1 columns wide equals 76 equivalent lines at .288¢ 21.89

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 2.00

TOTAL AMOUNT OF CLAIM

\$23.89

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 26, 19 74

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DE WALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE  
a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows: 6/17-24/74

Subscribed and sworn to before me this 26th day of June 19 74

Notary Public

My commission expires October 25, 1975

COPY OF  
SENT HERE

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causes that the representa-  
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Further there were reports  
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Abbezzariano there gave me  
O.P.C. Secretary-General  
Burns, Hingos, Krous, Moses, Nuckols,  
D. Schmidt, V. Schmidt, Siler, Talarico.  
rs: None  
6/19/74

CHARLES W. WESTERMAN,  
City Clerk  
Presented and adopted by the Common  
Zoning Map No. 2-1974 on the 11th day  
of June, 1974.  
ATTEST: (SEAL)  
CHARLES W. WESTERMAN,  
City Clerk  
SAMUEL J. TALARICO  
Presiding Officer  
Presented by me to the Mayor of the City  
of Fort Wayne, Indiana, on the 12th day of  
June, 1974, at the hour of 2:00 o'clock  
P.M., E.S.T.  
CHARLES W. WESTERMAN,  
City Clerk  
Approved and signed by me this 12th day  
of June, 1974, at the hour of 2:00 o'clock  
P.M., E.S.T.  
IVAN A. LEBAMOFF,  
Mayor  
Charles W. Westerman, Clerk of the  
City of Fort Wayne, Indiana, do hereby cer-  
tify that the above and foregoing is a full  
and complete copy of Zoning Map Or-  
dinance No. 2-1974 passed by the Common  
Council on the 11th day of June, 1974, and  
said Ordinance was duly signed and  
revised by the Mayor on the 12th day of  
June, 1974 and now remains on file and on  
record in my office.

IN WITNESS my hand and the official  
seal of the City of Fort Wayne, Indiana,  
this 12th day of June, 1974.  
CHARLES W. WESTERMAN,  
City Clerk  
7.24.